IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

TUESDAY, THE 13TH FEBRUARY 2007 / 24TH MAGHA 1928

Crl.Rev.Pet.No. 663 of 2007()

CRA.201/2006 of ADDL. SESSION'S JUDGE ADHOC-II THODUPUZHA
CC.268/2006 of CHIEF JUDICIAL MAGISTRATE COURT, THODUPUZHA

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REVN. PETITIONER: PETITIONER/APPELLANT/ACCUSED

V.K.JOY, S/O. KUNJU,
VELAMPLACKAL VEEDU, MUTHALIYARMADOM BAGOM,
KARIKODE VILLAGE, THODUPUZHA TALUK.

BY ADV. SRI.SHAJI THOMAS PORKKATTIL
SRI.BINU PAUL

RESPONDENTS/RESPONDENTS/STATE & COMPLAINANT

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1. STATE REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. K.P.KABEER, ANTHEENATTU
KUNNUMPURATH HOUSE, THODUPUZHA.

BY PUBLIC PROSECUTOR SRI.C.M.KAMMAPPU

THIS CRIMINAL REVISION PETITION HAVING COME UP FOR ADMISSION ON 13/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU, J

CRL.R.P.No. 663 of 2007

Dated this the 13th day of February, 2007

ORDER

The revision petitioner is the accused who stands convicted for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for a period of three months and to pay fine of Rs.60,000/- and in default, to undergo simple imprisonment for a period of two months with a direction that out of the fine amount, if realised, an amount of Rs.50,000/- shall be paid to the complainant as compensation. Revision petitioner has pleaded that the sentence may be modified and the fine amount may be limited to Rs.50,000/-. In the circumstances, the sentence is modified to imprisonment till the rising of the court and to pay a compensation of Rs.50,000/- to the complainant under Section 357(3) of Criminal Procedure Code and in default, he shall undergo simple imprisonment for a period of three months. The revision petitioner is granted six months' time to pay the amount of compensation. He shall

appear before the Chief Judicial Magistrate Court, Thodupuzha on 14.8.2007 to receive the sentence.

The Criminal Revision Petition is disposed of as above.

K.R.UDAYABHANU,
JUDGE

csl

S.A.No.709 of 1996

JUDGMENT

1st February, 2007